

**MINUTES OF A SPECIAL MEETING OF THE PLANNING COMMISSION OF THE TOWN OF CLARKDALE HELD ON MONDAY, DECEMBER 29<sup>TH</sup>, 2003 IN THE MEN'S LOUNGE, CLARK MEMORIAL CLUBHOUSE, 19 N. NINTH STREET, CLARKDALE, ARIZONA.**

A special meeting of the Planning Commission of the Town of Clarkdale was held on Monday, December 29<sup>th</sup>, 2003, at 6:00 p.m. in the Men's Lounge of the Clark Memorial Clubhouse.

**Planning Commission:**

Chairperson	Gary Hansen	Present
Vice Chairperson	Susan Sammarco	Present
Commissioners	Lew Dodendorf	Absent
	Robyn Prud'homme-Bauer	Present
	Dewey Reiersen	Present

**Staff**

Planning Director	Steven Brown
Administrative Asst	Linda Noland

**OTHERS IN ATTENDANCE:** Viola Morlach, Maude McLaughlin, Betty Milton, Shirley Biros, Edward L. Biros, Lillian Ramstad, Earl Ramstad, Victor Sammarco, Pat Williams, Sandy Martin, Richard Stephens, Jackie Stephens, Dorothy G. Smith, Peggy Chaikin, Richard Kevin, Nancy Bonfield, Roli Bonfield, Doug Von Gausig, Elizabeth-Rose Augusto, Phil Terbell, Jesse Sandoval, Annie Sandoval, Jim Schulz, Lorna Murray, Mark Murray, Shelby Maynard, Cate Mugasis, Peg Sarkisian, Phil Sarkisian, Paul Handerger, Marsha Fonte, Trudy Elkins, Lane Findlay, Mark S. Duffy, Dallas Sanger, Ruth Wick, Roy Sandoval and others with un-legible signatures.

**CALL TO ORDER-ROLL CALL:** Vice Chairperson Sammarco called the meeting to order at 6:00 p.m. Chairperson Hansen was a few minutes late. Roll was called a quorum was present.

**PUBLIC COMMENT:** None

**CHAIRPERSON'S REPORT:** None

**PLANNING DIRECTOR'S REPORT:** Planning Director, Steven Brown, read his Staff Report to those present.

**STAFF REPORT**

**MEETING DATE:** December 29<sup>th</sup>, 2003

**AGENDA ITEM:** Mountain Gate-Planned Area Development (PAD)

**Property Ownership:** Robert Conlin  
Clarkdale Investments, Limited Partnership  
PO Box 870  
Clarkdale, AZ 86324

**Applicant:** Empire Companies  
1016 West University Avenue, Suite, 202  
Flagstaff, AZ 86001

**Background:**

On October 24, 2003, Empire Companies fled this application for Preliminary Plat approval, and the Planning Department rejected the submittal as being incomplete. The applicants subsequently re-applied, and have made additional revisions since, with the latest being delivered to the Planning Department in a meeting on Monday, December 22, 2003

On November 17, 2003, the Planning Commission held a Public Hearing on the Planned Area Development (PAD) proposed by the applicants.

On December 15, 2003, the Planning Commission voted unanimously in favor of a motion to recommend the Council approve with conditions, the PAD for Mountain Gate. The Pad is zoning change that must be approved prior to the approval of this Preliminary Plat, and which will establish the development standards for the Mountain Gate Subdivision. Additionally, the Preliminary Plat must be developed in conformance with the Final Development Plan approved as a part of the PAD.

The following is a listing of the Town Departments and outside agencies, with a detailing of their review comments on various aspects of this project.

**Fire:**

During the review of the PAD, the Fire Chief and Fire Marshall raised several concerns.

**Emergency Access:**

The applicants have agreed to provide two emergency access points into Centerville from Mountain Gate, but disagree with the Town as to the exact nature of those. Town staff is recommending to the Planning Commission that the access points be developed with a 40-foot right-of-way, dedicated to the Town. The Planning Commission adopted that standard in its recommended approval with conditions of the PAD. Staff feels that there may come a time when the Town and/or the neighborhoods may wish to effect a connection for general vehicular access from Centerville to Mountain Gate, and having the right-of-way in place will make that possible.

Empire Companies wishes to provide an approximately 24 foot easement that would be maintained by the Home Owner's Association.

**Length of cul-de-sacs:**

Empire Companies, in their revised plans have eliminated the lengthy cul-de-sacs by looping some of the roads, and by providing an emergency access at two points between Centerville and Mountain Gate. This will permit emergency vehicles a secondary access to Centerville and alleviate the concern raised by Fire.

**Vehicular Access:**

Fire was concerned principally about vehicular access into and through the Town Home section of the project. The applicants have indicated that they would prepare a layout of the sample 4-plexes with the units on the lots, and showing the access between units for fire fighters, and their equipment.

**Hydrant locations and gallon per minute:**

On December 22, 2003, Empire Companies submitted a plan of the hydrant locations, which we presume also, contains the flow information requested. The Fire Chief has been given the plan to review and comment, and we will pass on their comments when they are available.

**Turn-around at dead end streets:**

The applicants have provided a hammerhead turn around at the termination of a dead end street in the Town Home area, which will satisfy the concern in those units. There are two other dead-end streets indicated on the plat that have not been entirely addressed. The applicants have agreed to provide a Collector Road to link Broadway with Highway 89A through Mountain Gate Subdivision. The connections have not been indicated on the Plat, nor are there any notes indicating that such a plan is their intention.

**Sprinkler Systems for Town Homes:**

Fire was the first group to raise a concern for the Fire Code requirement for the provision of automatic sprinkler systems in the Town Homes. The Town of Clarkdale Building Official has researched the issue and has found the following:

1. The Town Adopted the 1997 Uniform Fire Code, 1997 Edition through Ordinance 198.
2. Ordinance 198 also included a definition for Apartment house, which included Townhouses.

3. In the Fire Code Apartment houses are included in division 1 of the definition of Group R Occupancies.
4. Ordinance 198 also stipulated that Group R Division 1 Occupancies shall be provided with “An approved automatic sprinkler system which shall be installed in all Group R Division 1 occupancies.”

**Police:**

The Police Chief has indicated that he share the concern of the Fire Chief with respect to emergency access from Mountain Gate to Centerville.

**Engineering/Public Works:**

Engineering had previously reviewed the plans submitted and provided comments. Empire Companies met with the Engineer to review her comments and made commitments to provide updates of their plans in response to the issues raised. On December 22, 2003, in a meeting with Empire Companies, their engineer submitted their latest revision of the subdivision plat. The town engineer has the revisions and will be reviewing them as soon as possible. It is possible that staff may have their concerns by the date of the Public Hearing, but not likely.

Empire Companies has submitted a Phase II Drainage Report, which is being reviewed by the Town Engineers, and comment should be forthcoming.

Empire Companies took part in a meeting with the Arizona Department of Transportation (ADOT) and the Town on the possible impacts of this project and they have submitted a Traffic Impact Analysis (TIA), which ADOT will review for the Town. The TIA has been provided the Town Engineer and to ADOT for review and their comments will be forwarded to the Commission as they become available. ADOT has revised plans from a one-lane roundabout to a two-lane roundabout to allow for more traffic.

**Yavapai County Flood Control:**

Yavapai County Flood Control has reviewed the Preliminary Plat and commented in a letter dated December 8, 2003. In this letter they raise several concerns. Among these is the need to include all of the delineated flood plains (rather than just Deception Wash), platting of lots, which are impacted by delineated flood plains, the need for a minimum 20-foot setback from flood plains and the possible need for map revisions in order to build as planned. Flood Control goes on to say that they believe that these issues should be addressed prior to public hearing. Town staff has in the past months attempted to convince Empire Companies of the advisability of resolving these, and many other issues prior to the public hearing, but have had no success as of yet.

## **Yavapai County Environmental Services Department:**

Prior to Final Plat approvals, submittal to the County of water and sewer construction plan documents will be required. Water and sewer "Approval to Construct" will be issued by the County after completion of a successful review of construction plan documents. The town is in receipt of the comments from Environmental Services, which stipulates the steps that must be taken by Empire Companies in order to receive the "Approvals to construct", and copies have been forwarded to the applicants.

### **Staff Recommendation:**

The latest revision to the Preliminary Plat was received on Monday, December 22, 2003, and Staff, Commission nor the Public has had adequate opportunity to review the submittal and to prepare contemplative comment. Staff therefore recommends that the Commission open the public hearing on this item at the December 29, 2003 meeting, and then table the public hearing until the January 12, 2004 regular meeting at the earliest.

## **NEW BUSINESS**

- 1. PUBLIC HEARING ON A REQUEST FOR A PROPOSED PRELIMINARY PLAT FOR MOUNTAIN GATE, A 606 LOT SUBDIVISION ON APPROXIMATELY 187 ACRES, PROPOSED TO BE DEVELOPED ON PROPERTY AT THE INTERSECTION OF STATE ROUTE 89A AND 11<sup>TH</sup> STREET IN THE TOWN OF CLARKDALE. THE PROPERTY IS OTHERWISE IDENTIFIED AS YAVAPAI COUNTY ASSESSOR'S PARCEL NUMBER 400-06-053C.**

**Jim Binick**, engineer with Shepard-Wesnitzer, Inc., 703 South Main Street, Cottonwood, AZ. Mr. Binick stated he was at the meeting to represent the Empire Company and that neither of the two representatives from Empire Company would be present at tonight's meeting. Jim stated he feels the staff report eludes to the fact that they have not been responsive and Jim feels they have been responsive and have been generating information constantly. Jim has personally participated in 2 or 3 neighborhood meetings, two hearings for the PAD, discussion and meetings with staff, and they keep in touch with the town engineer. Mr. Binick also stated the Planning Department had received the revised Preliminary Plat on December 22<sup>nd</sup> and that he realizes there hasn't been sufficient time for staff to review them and be able to respond to the changes.

Mr. Binick discussed the town homes and the "staggered" effect they will have although they had not provided the arrangement of 4-plexes, 3-plexes or duplexes.

As far as the lack of flow information on the hydrant sketch, Mr. Binick stated that typically they do not provide flow information on the preliminary sketch like these. They design the water system and will determine the optimum flow the fire department is looking for from a fire hydrant and they will set their pump station to deliver that flow. They will design the system to pump the amount of gallons per minute, which are required.

Mr. Benick commented on the water adequacy certificate stating there is a difference between assured water supply and water adequacy. In AMA areas they look for 100 year assured water supply, examples, Phoenix or Tucson. In non-AMA areas, the real-estate department will still indicate whether or not there is an adequate water supply. You need to discriminate between assured and adequate, stating that after talking with Chuck Garrison of Cottonwood Water Co, they were told that Cottonwood Water does not have a water adequacy certificate.

Commenting on the drainage report, Mr. Binick stated they had initially submitted a Phase I drainage report with the PAD and followed that up with a Phase II drainage report, which has been commented on by Yavapai County Flood control. Stating they were unaware why staff hasn't gotten a comment from the engineering department. Flood Control indicated that if there were any lots within the flood plain, they would have to set elevations and provide a set back. Mr. Binick stated they decided to tuck all of the lots out of the flood plain.

Binick told the Planning Commission and Public that the developer is planning on drilling pilot wells within the next couple of months. He said if they're successful, they plan on increasing the wells for use by Cottonwood Water Works. If the pilot holes don't produce enough water, Binick stated they would try to team up with Cottonwood Water Works and go off-site to find the water necessary. He assured everyone the subdivision would not tap into an existing water source, stating it will be a new production facility. After a water system is built, Binick said the developer would dedicate it to the water company.

Binick stated other utilities such as electric and telephone lines are on site. Stating they have already talked with these utility companies and are assured they will be able to meet the demands of the new development. The gas company has a high-pressure line, which presently goes down Centerville Road, which will need to be relocated. Unisource, the gas company, has indicated this will not be a problem. This relocation will be at the expense of Empire Company.

With a PAD developers may be required to put aside some land for a future school. Binick stated that in a recent meeting with school board official, it was decided that a monetary donation would be more acceptable. The school system prefers to keep any expansions on their existing sites.

Binick stated that all the roads will be dedicated roads except for the Town Home roads which will be private roads.

## **PUBLIC HEARING**

The meeting was open to public hearing by Chairperson Hansen.

**Reynold Radoccia**, 1550 Abbey Road South., Clarkdale. Mr. Radoccia stated he feels there is a lot of density shown on the maps and asked why it was being allowed; stating he hoped the density could be negotiated. He feels there are too many people and too many houses. Radoccia mentioned the Commission has the ability to negotiate and the public has the ability for input.

**Richard Daner**, 905 First South, Clarkdale. Mr. Daner listed a few things he felt were problematic with this PAD. Mr. Daner talked about the increased density, traffic, water usage, and demands for services such as police and fire protection. Also the proposed PAD funnels all traffic to the west, which is the wrong direction since most shopping and connecting routes to neighboring communities are to the east. Stating he was glad to hear of the Broadway access and another one to 89A. Also the land on either side of the PAD are zoned R1. Mr. Daner feels that rezoning the Mountain Gate development would create a precedent, which would result in legitimate claims by adjacent landowners requesting similar increases in density. Mr. Daner feels the owners of the 187 acres knew how the land was zoned when they bought it and that it is developable as currently zoned and that there is no justification for the Town to change that zoning. Changing the zoning will not facilitate the improvement of development in the area but will serve only to maximize density and profit for the landowner and the developer. Mr. Daner suggests to the Commission that they ask the town staff to work with the developers to reduce density, demand traffic access onto Broadway and make any approval of the PAD conditional upon proof of legal requirements of water supply. Don't rezone this land on any assumptions that aren't proven. If the development does not proceed, zoning should automatically revert to the current zoning.

**Ruth Wick**, 312 Main Street, Clarkdale. Ruth stated over the last 2 years she and all community members have been asked to conserve on the use of water. Both the water company and town management have warned all of us of the current drought, which might continue for the next 20 years. Ms Wick asked how could we honestly be thinking on allowing more homes and more people come into our community when we don't have sufficient water now? Let our community not be foolish nor our Planning and Zoning Committee. "Let us put first things first, please find the water first."

**Sandy Martin**, 771 Calle Medina, Centerville. Sandy stated her recollection of what Clarkdale's codes are that the minimum building lot is 7,500 square feet if she is not mistaken. All of these individual smaller homes are in the neighborhood of 6,000 square feet. She states that she fails to understand why we have codes, when they apply to some people and not all. If 6,000 sq ft lot is going to become the new norm for individual homes, then anyone else anywhere in Clarkdale that has a 12,000 sq ft lot, all he has to say is, I can sell half of it and build something else. Sandy Martins main concern and discontent is, this large "lump" coming into our community with a wall, a planned community, central in our community and it establishes itself as a kingdom through which the "peons", specifically Centerville, may not pass. Sandy stated the Commission has the opportunity to say, "no", we are not going to put a kingdom in the middle of Clarkdale. We are going to add to our community, it is going to not have walls that say Centerville residents cannot drive through it, or you can further our sense of separation and division.

**Doug Von Gausig**, 630 E. Cliffside, Clarkdale. Doug first of all thanked Planning Director, Steven Brown and his staff for the diligence shown so far and predicting the problems and trying to work as hard as possible to get them rectified by the time we have these meetings. Doug stated he felt staff has done a great job. Mr. Von Gausig has researched the Empire Co and finds only positive comments from those involved. Doug prefers transparency in the community with no

walls to separate the community from the rest of Clarkdale. Doug mentioned that he is concerned with the impact on the schools and would like more information on that. He stated that he was unhappy that the representatives from Empire were not at tonight's meeting. To have a meeting of this importance concerning their preliminary plot and not having representatives of the company is "not too cool". Since staff has not had the opportunity to study the newly submitted preliminary plat of December 22<sup>nd</sup>, Doug suggested no real action be taken and that any action be tabled until the next meeting.

**Pat Williams**, 1130 Sunrise Drive, Clarkdale. Ms Williams stated she is concerned with our resources not only here in Clarkdale, but in the world. She stated that she has not heard any mention on the Verde River with no firm definitive information on how much water is here or what we can expect. We are in the beginning of a 30 year drought.

**Jeff (unable to make out spelling of last name)**, 175 Hollow Reed Road, Clarkdale. Jeff stated he lives about 100 yards from the proposed site. Seeing a population growth in Clarkdale, which would bring the population 50% higher with one development, scares him. His concerns are noise, light, and the lack of water. He stated he doesn't understand the density, and that having density of this size seems a little over the edge.

**Peggy Chaikin**, 215 Hollow Reed Lane, Clarkdale. Peggy's property abuts this development. Some of Peggy's concerns are water and she feels we should wait for the water study in 2007. Other things which concern Peggy are lighting and feels the developers need to have shielded lighting for the night sky. She is concerned about preserving the hilltops and trees. Peggy stated she would like to see a real access through Centerville and not a gate for emergency access only. Agreeing with the town, and thinks there should not be an emergency gate there and that it is offensive. If there is going to be a 6' wall, the developer should be required to landscape outside the wall so that the wall is not the "Great Wall of Clarkdale". Including trees that buffer the wall from view from the outside. Peggy also wants to make sure there is run off protection for the historic springs at Hollow Reed that many people don't realize exist. Mrs. Chaikin thanked the Commission and Staff for all of their work.

**Elizabeth-Rose Augusto**, 940 Calle Tomallo, Clarkdale. Elizabeth has concerns about building without a sufficient water supply. She feels the density is way out of line and feels there should be no condos.

**Phil Terbell**, 2120 N. Desert Sky Drive, Clarkdale. Phil stated he doesn't agree nor disagree with anybody. Stating one of the big issues in Arizona is "sprawl" and this project does not have. He is not sure how he feels about the densities and that the development will supply jobs to Clarkdale. Mr. Terbell states that at the present time, growth seems to be the one thing right now that sustains our economy. He also encourages the Commission to do what can be done to mitigate the issues to make it acceptable to everyone and to move forward before we stay behind.

**Reynold Radoccia**, 1550 Abbey Road South. Mr. Radoccia made the comment that he was around when Neil Klein built the Mingus Shadows subdivision in the early 90's and there were a



lot of arguments at that time over the subdivision with the gate. Eventually the gate was removed. Mr. Radoccia recommends we do not repeat bad history and that the wall issue and gates for Centerville be “eighty-sixed” immediately.

**Jim Shculz**, 850 Black Hills Drive, Clarkdale. Mr. Schulz stated that the step down of the houses bothers him with concerns of the run off during the monsoons with the cut and fill running down slopes and into the washes.

**Paul Handberger**, Cottonwood. Mr. Handberger recommends the town hire a hydrologist, stating that if the test is run well, the answers will be there.

**Commissioner Prud’homme-Bauer:** made a motion to table the Public Hearing so more information can be reviewed with things that have been submitted during the last week that the Commission has not been able to review and keep the Public Hearing open for further public comment and she would like to table it until the next regular meeting of January 12<sup>th</sup>. **Vice Chairperson Sammarco:** seconded the motion. The motion passed unanimously.

**ADJOURNEMENT:** 7:47 p.m.

**Approved By:**

**Submitted By:**

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Gary Hansen  
Chairperson

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Linda Noland  
Administrative Assistant